IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.1102 of 2007

Smt. Nasrin Nasir Sayyed — Petitioner
Vs.
Shri Suhas Patil & anr. — Respondents

Mr.Gajendra Jadhav for petitioner.
Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

September 18, 2007.

P.C.

. This petition filed under Article 227 of the Constitution read with Section 482 of Cr.P.C. prays for quashing and setting aside the show cause notice dated 28/12/2006 issued against the petitioner under Section 110 (e) & (g) of Cr.P.C. and it was filed on or about 19th June 2007.

. Mr.Adsule, the learned APP has filed affidavit-in-reply and also placed before me the original record from which it is clear that the said proceedings culminated in the final order dated 6/6/2007 and on that day the petitioner was present before the Special Executive Magistrate, Malvani Division, Mumbai. Mr.Adsule referred to the provisions of Section 112 of Cr.P.C. and stated that

the order dated 6/6/2007 was read over and intimated orally to the petitioner on the same day. Subsequently on 8/6/2007 the petitioner presented an application for exemption from appearance and on 16/6/2007 submitted an application praying for time to submit one surety and bond of Rs.10,000/- as directed by the Special Executive Magistrate. Thus on the date the petition was filed, the petitioner was aware of the order passed by the Special Executive Magistrate. The said order can be challenged by filing a revision application under Section 397 of Cr.P.C.

. Hence the petition is disposed with liberty to approach the Sessions Court.

(B.H.MARL